

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BARRY K. GRAHAM, ET AL.

v.

UNIVERSAL HEALTH SERVICE, INC. :

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CIVIL ACTION NO. 20-5375

ORDER

This 17th day of May, 2021, for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint is **DENIED IN PART AND GRANTED IN PART**. All claims except for the claims of Plaintiff Motkowicz arising out his delayed surgery are dismissed for lack of standing. As to the surviving claim, the parties shall have sixty (60) days within which to conduct discovery and supplement the record with affidavits or deposition testimony pertinent to the issue of causation.

/s/ Gerald Austin McHugh
United States District Judge